

HOUSE BILL NO. 397

INTRODUCED BY DOWELL, JACKSON, SONJU, EVERETT, O'NEIL, BARKUS

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE GOVERNANCE STRUCTURE AND CLASSIFICATION FOR HIGH SCHOOL DISTRICTS WITH HIGH SCHOOL BUILDINGS LOCATED IN MORE THAN ONE ELEMENTARY DISTRICT; AMENDING SECTIONS 20-3-351 AND 20-6-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-3-351, MCA, is amended to read:

"20-3-351. Number of trustee positions in high school districts. (1) Except as provided in 20-3-352(3) and subsection (2) of this section, the trustees of a high school district must be composed of:

(a) the trustees of the elementary district in which the high school building is located or, if there is more than one elementary district in which the operating high school buildings are located, the trustees of the elementary district ~~designated by the high school boundary commission~~ in which the operating high school building that was first constructed is located; and

(b) the additional trustee positions determined in accordance with 20-3-352(2).

(2) There must be seven trustee positions for each county high school."

Section 2. Section 20-6-301, MCA, is amended to read:

"20-6-301. High school district classification. The classification of a high school district ~~shall~~ must be the same as the classification of the elementary district (20-6-201) where the high school building is located. If there is more than one elementary district in which operating high school buildings are located, the classification of the high school district must be the same as the classification of the elementary district described in 20-6-201 in which the operating high school building that was first constructed is located. Whenever the classification of such elementary district is changed, the classification of a high school district ~~shall~~ must be changed accordingly and the county superintendent shall adjust the number of additional high school district trustee positions in accordance with the method prescribed in 20-3-354 for the determination of the number of additional trustee positions required for a high school district. An increased number of trustee positions ~~shall~~

1 must be filled by the appointment of the county superintendent, and ~~such those~~ positions ~~shall be~~ are subject
2 to election at the next regular trustee election. When the number of positions is decreased, the next additional
3 high school trustee positions that become vacant under any circumstances ~~shall~~ may not be filled until the
4 number of trustee positions has been reduced to the number required by law."

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6 COORDINATION SECTION. **Section 3. Coordination instruction.** If Senate Bill No. 24 and [this act]
7 are both passed and approved and if both amend section 20-3-351, then [section 26 of Senate Bill No. 24],
8 amending section 20-3-351, is void.

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10 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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